

REMARKS

Applicants appreciate the continued thorough examination of the present application as evidenced by the Final Office Action of March 21, 2008 ("Final Action") and the Advisory Action mailed July 9, 2008 ("Advisory Action"). In the Final Action, Claims 1-4 and 6-16 were rejected as anticipated by U.S. Patent No. 5,570,332 to Heath et al. ("Heath"). Applicants have amended Claims 1, 8 and 11 to clarify that "seek lengths" refers to lateral distances from a source location to respective target destinations. Accordingly, Applicants respectfully submit that the claims are patentable over Heath for at least the reasons discussed below.

The Final Action and the Advisory Action interpret the seek times discussed in Heath as seek lengths. See Final Action at 2; Advisory Action, Continuation Sheet. The Advisory Action states that Claims 1 and 11 are "silent regarding whether the adjusted seek length is the actual distance that the head travels to reach the target destination. Hence, the Examiner's interpretation of 'seek time' to be equivalent to the 'effective seek length' is well justified." Advisory Action, Continuation Sheet.

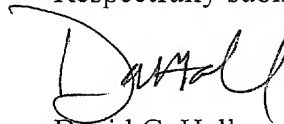
Applicants have amended Claim 1 to clarify that the adjusted seek lengths comprise "lateral distances from a source location to respective target destinations." (Emphasis Added.) Accordingly, the interpretation of Heath's "seek time" as being equivalent to the claimed adjusted seek length is precluded by Applicants' amendment. In particular, Heath does not teach or suggest adjusting estimates of seek lengths comprising lateral distances from a source location to respective target destinations for queued disc access commands, much less adjusting such estimates to compensate for lateral offset present between a source head that performed a previously executed disc access command and target heads that will perform the queued disc access commands. Applicants therefore respectfully submit that Claim 1 is patentable over Heath for at least these reasons. Similar clarifying amendments have been made to Claims 8 and 11, which are patentable for at least similar reasons as Claim 1. The dependent claims are patentable at least per the patentability of the independent claims from which they depend.

CONCLUSION

Again, Applicants appreciate the continued thorough examination of the present application. However, Applicants have shown that Heath does not teach or suggest using adjust seek lengths to select between target destinations, where seek length refers to a lateral distance from a source location to a target destination. The claims are therefore patentable over Heath.

Applicants therefore respectfully submit that the application is now in condition for allowance. Favorable reconsideration of this application, as amended, is respectfully requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (919) 854-1400.

Respectfully submitted,



David C. Hall
Registration No. 38,904

Customer Number 73463
Myers Bigel Sibley & Sajovec, P.A.
P.O. Box 37428
Raleigh, NC 27627
919-854-1400
919-854-1401 (Fax)